

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CAROLYN SIOUX GREEN,

Plaintiff,

v.

UNITED STATES OF AMERICA, et  
al.,

Defendants.

NO. 2:21-cv-1276-RAJ-DWC

**ORDER**

This matter is before the Court on Plaintiff Carolyn Sioux Green's Motion for Clarification. Dkt. # 283. This motion can be resolved without oral argument, *See* LCR 7(b)(4), and Defendants are not required to file a response.

On October 7, 2022, this Court entered an order adopting the Report and Recommendation of the Honorable David W. Christel and dismissing this matter with prejudice. Dkt. # 253. Plaintiff then moved for reconsideration. Dkt. # 258. However, prior to filing her request for reconsideration, Plaintiff filed a Notice of Appeal to the Ninth Circuit Court of Appeals (Dkt. #255), and in March 2023 Plaintiff filed a motion

1 for a preliminary injunction with the Court of Appeals. *See* Dkt. # 276. On May 3, 2023,  
2 the Court of Appeals ordered that all appellate proceedings would be held in abeyance  
3 pending resolution of the Motion for Reconsideration. *Id.* Further, the Court of Appeals  
4 ordered that, within 14 days of this Court's ruling on the Motion for Reconsideration,  
5 appellant Green is to indicate whether she intends to pursue her appeal. The Court of  
6 Appeals stated, "[t]o appeal the district court's ruling on the post-judgment motion,  
7 appellant must file an amended notice of appeal within the time prescribed by the Federal  
8 Rule of Appellate Procedure 4." *Id.* On July 31, 2023, this Court denied Plaintiff's  
9 Motion for Reconsideration. Dkt. # 281.

10 On August 3, 2023, Plaintiff filed a Motion for Clarification, arguing that the  
11 Court misapprehended and overlooked several issues and seeking a modification of this  
12 Court's ruling under Rule 60(b)(1) and Rule 59(e). Dkt. # 283. The Court of Appeals has  
13 ordered that if Plaintiff seeks to pursue an appeal of this Court's post-judgment ruling,  
14 Plaintiff must file an amended notice of appeal. Therefore, Plaintiff's most recent request  
15 for clarification is procedurally improper. However, even if this Court were to consider  
16 merits of Plaintiff's argument, there is no basis to grant the motion, as Plaintiff fails to  
17 point to authority compelling a different result. Therefore, Plaintiff's Motion for  
18 Clarification is **DENIED**. Dkt. # 283.

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20 Dated this 9th day of August, 2023.  
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25 The Honorable Richard A. Jones  
26 United States District Judge  
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